

# FHWA-MAINE DOT- MAINE TURNPIKE AUTHORITY

## Environmental Document

### GENERAL PROJECT INFORMATION




Municipality/County/Route No.	West Gardiner/Kennebec County/Route 126/9
Project Identification Number	13393.00
<u>Project Description/Termini</u>	New service plaza/rest area on the northerly end of the Maine Turnpike (I-95) and I-295 in the vicinity of West Gardiner, Maine.

### DOCUMENT TYPE

After completing this form, I conclude that this project qualifies for the following type of NEPA action and hereby release it for public involvement (FHWA must review if Section 4(f) property is used): (Explanation)

Environmental Assessment (EA)	<b>X</b>
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### APPROVAL

 MaineDOT Signature	<u>12/4/06</u> Date	 FHWA Signature (Required for Individual CE only, EAs require a separate FONSI)	<u>12-6-06</u> Date
 Maine Turnpike Signature	<u>12/1/06</u> Date		

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied. (Explanation)

**For information about this document, or to provide comments, you may contact any or all of the following contacts:**

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## PURPOSE AND NEED

### Existing Conditions:

#### **Project Context: Existing Service Plaza /Rest Area Facilities**

The Maine Turnpike (I-95) and Interstate 295 (I-295) are the most heavily traveled corridors in the state, accommodating commuter, commercial, and recreational travel. They are the only interstate highways extending from southern Maine to the major cities of Portland, Lewiston, Auburn, and Augusta, and provide a link to Bangor and points to the north. The Maine Turnpike Authority (MTA) has jurisdiction over the 109-mile section of the Maine Turnpike extending north from Kittery to Augusta. In total, there are 98 rest areas and service plazas in the State of Maine, of which only 16 are located on I-95 and I-295. Only 23 of the 98 state-wide rest areas provide truck parking.

The Maine Turnpike has three northbound service plazas, each separated by roughly 35 miles of highway. The southbound direction also has three plazas, but not all coincide with northbound facilities. The southern-most plazas are located in Kennebunk, the next plazas are located in Cumberland and Gray, and the northern-most plazas are located in Lewiston and Litchfield. Turnpike service plazas provide restrooms, food, fuel, and parking areas suitable for tractor-trailers (classified large trucks), commercial trucks, buses, automobiles, and recreational vehicles.

The Kennebunk plazas are currently undergoing a facility renovation and parking expansion program. The Turnpike service plazas in Cumberland (southbound) and Gray (northbound), roughly 44 miles from the proposed service plaza/rest area site, are undergoing renovation and expected to completed within the next year, but no expansion of parking is proposed. The closest Turnpike southbound service plaza is located in Lewiston 19 miles away from the proposed site, and the closest northbound service plaza is in Litchfield (4 miles away). Both the Litchfield and Lewiston service plazas have limited economic viability on their own and are proposed for closure in conjunction with the opening of the proposed expanded-capacity facility to the north. The closure of northern Turnpike service plazas (Lewiston and Litchfield) and downgrading of central service plazas (Cumberland and Gray) is due in part to technical limitations of sites, and in part due to economic inefficiencies of operating multiple facilities. To remain economically viable, the Turnpike plans to consolidate the northern plazas into one larger facility serving both northbound and southbound travel directions, usable to travelers on both interstates, and with much more truck parking.

Other “rest areas” (Maine Department of Transportation facilities) can be found on I-295 to the south, and also north of Augusta on I-95. Maine Department of Transportation (Maine DOT) rest areas provide restrooms and limited parking areas. Fuel and meal services are not provided at rest areas, although locations have vending machines for snacks and cold drinks.

The closest rest area to the south on I-295 is located in Yarmouth (34 miles away), serving both

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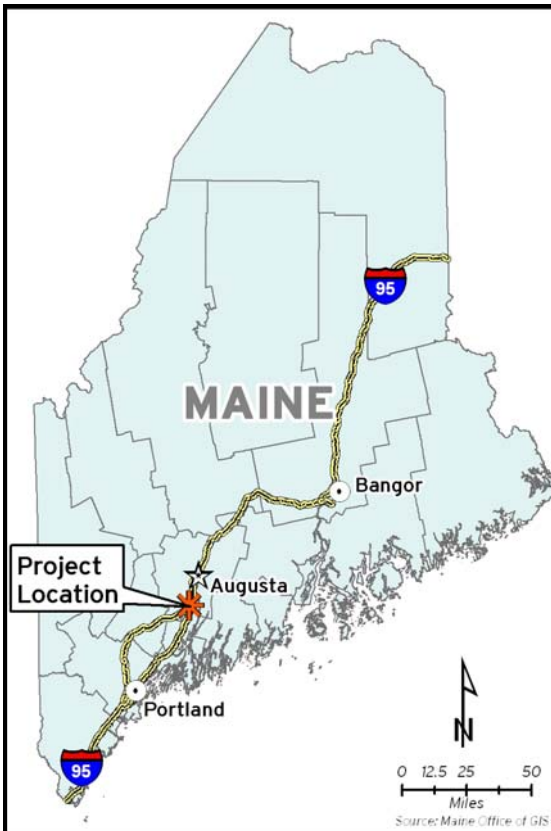
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northbound and southbound traffic. North of the study area, the closest I-95 northbound rest area is in Pittsfield (45 miles away), and the closest I-95 southbound rest area is located 14 miles away in Sidney. A northbound Maine Department of Transportation rest area in Augusta (I-95 northbound) was recently closed due to septic problems and the construction of a new Augusta Interchange (Exit 113) near Old Belgrade Road. Due to ramp proximity conflicts and ongoing septic problems, there is no plan to replace the rest area in that location. The closure of the I-95 rest area immediately north of the Maine Turnpike contributes to the need for a larger Turnpike service plaza/rest area at West Gardiner.

Privately-owned truck stops are also helping to provide resting and service areas along the interstate roadway corridors in Maine. None of these privately-owned truck stops are located near the project study area. The closest private truck stops are approximately 30 miles to the north in Fairfield, and 27 miles to the south in Auburn.

#### **Selected Site**

The proposed site for the service plaza/rest area is located at the confluence of I-95 and I-295 east of the Maine Turnpike and west of I-295 in West Gardiner. Site access would be from existing interchanges on both I-95 and I-295. Average daily traffic on the Maine Turnpike during 2005 was approximately 11,300 vehicles passing the West Gardiner Barrier Toll Plaza a day including approximately 1,930 trucks. The average daily traffic on I-295 passing the West Gardiner Toll Plaza is approximately 19,920 vehicles a day including approximately 2,450 trucks, which indicates more than 30,000 vehicles a day pass this proposed service plaza/rest area location. In total, almost 15% of the traffic passing this location on the interstates represents commercial trucks (approximately 4,380 trucks).

Route 126/9 is an undivided two-lane arterial roadway, with variable width shoulders that are 10 feet wide near the I-295 interchange. The Maine Turnpike in the study area is two lanes in each direction with 8-foot outside shoulders and 4-foot inside shoulders, separated by guardrail and an 18-foot grassed median. I-295 consists of two lanes in each direction with 10-foot outside shoulders and 4-foot inside shoulders, separated by guardrail and grassed 28-foot median.

The land uses opposite the proposed site drive include a Maine Turnpike maintenance facility, a park and ride lot which accommodates approximately 54 spaces, and the I-95 interchange ramps.

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### Need for Improvement:

The Federal Highway Administration (FHWA), at the direction of Congress, conducted a study evaluating the adequacy of truck parking along Interstate highways at both public rest areas and privately-owned truck stops. That study suggested policies and programs to meet parking and rest needs. I-95 is the highest priority interstate in the United States recommended to have increased numbers of rest areas.

Recent changes to U.S. Department of Transportation (US DOT) regulations [68 FR 22516, Apr. 28, 2003], regulate Hours-of-Service (driving times) for commercial vehicles and require that commercial truck drivers take regular breaks from driving. Based upon driving limitations, service or rest areas are to be provided on major interstates at intervals sufficient to allow truck drivers and motorists safe parking and rest locations to protect against excessive driving intervals, and to discourage “pull-offs” onto roadway shoulders for resting purposes. Current national guidelines recommend spacing between rest areas equivalent to one hour of driving time.<sup>1</sup> Also, to be effective at meeting the needs identified by FHWA, the facility must be easy to access and convenient to use.

The Federal Motor Carrier Safety Administration has tentatively estimated that driver fatigue is a primary factor in 4.5 percent of truck-involved fatal crashes and is a secondary factor in an additional 10.5 percent of such crashes. A 1995 study conducted by the National Transportation Safety Board (NTSB) asserts that the most important factors in predicting a fatigue-related accident are the duration of the last sleep period, the time slept in the past 24 hours, and interruptions in sleep periods. The availability of parking for commercial vehicles can affect all of these factors.<sup>2</sup>

The need for a new facility is documented in studies conducted by the Maine Department of Transportation: *Evaluation of Maine’s Non-Interstate Roadside Facilities* (January 2002), and *A Plan for Maine’s State Visitor Information Centers: A Needs Assessment for Existing Centers, and a Proposal for New Centers* (February 2004), and in *Commercial Vehicle Service Plan* (June 2003). The *Commercial Vehicle Service Plan* includes discussions about the needs for new facilities, including the general study area location discussed here.

Due to a shortage of truck parking spaces, service and rest areas, distances between existing facilities, and safety concerns raised by not having enough service plazas and rest areas, the MTA and MaineDOT have initiated this project to add a new service plaza/rest area on the Turnpike near Augusta to serve both northbound and southbound traffic. The purpose of this project is to provide a new highway service plaza/rest area to accommodate motorists and commercial trucks traveling on the Maine Turnpike and Interstate 295 and to fill a gap in service plaza/rest areas between Portland and Bangor. A new service plaza/rest area will provide an approved resting/sleep area that will increase safety and reduce automobile

<sup>1</sup> Commercial Vehicle Service Plan, Office of Freight Transportation, MaineDOT, June 2003.

<sup>2</sup> Study of Adequacy of Commercial Parking Facilities, Technical Report FHWA-RD-01-158, March 2002.

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and truck accidents caused by drivers falling asleep or by not being attentive while driving. Providing a service plaza/rest area in the vicinity will help drivers achieve compliance with the US DOT regulations and improve safety, and serve both commercial and non-commercial drivers using I-95 and I-295. The new service plaza/rest area is intended to serve automobiles, trucks, buses, and recreational vehicles. A park and ride lot will be included in the facility to supplement and/or replace the existing park and ride lot adjacent to the Turnpike ramps north of Route 126/9.

The need for additional service and rest areas is further evidenced by the frequency of full lots and the number of trucks using unauthorized pull offs along the interstates as reported in the *Commercial Vehicle Service Plan* (June 2003). Examples of unauthorized pull-offs include trucks parked on unpaved areas near interchange ramps or along wide shoulder stretches of roadway, or near toll plazas.

Building one new expanded service facility for both I-95 and I-295, serving both northbound and southbound travel directions, will consolidate the northern Turnpike service plazas (Lewiston and Litchfield) and provide an economically viable facility that will fulfill the truck rest area spacing requirements. In consideration of these factors, the feasible and prudent solution is to construct a new facility. The proposed facility is the optimal solution with the least cost and impacts and maximum benefit.

The purpose of this Environmental Assessment is to determine the appropriate NEPA Class of Action for the proposed new service plaza/rest area.

## ALTERNATIVES

### Proposed improvement:

A single facility just south of Augusta in West Gardiner to serve both Maine Turnpike and I-295 traffic is proposed between the Maine Turnpike and I-295 (Figure 1). The site is located south of Route 126, which is also Route 9 (Lewiston Road) in the project area, north of Pond Road. The site is located between the Maine Turnpike on the west and I-295 on the east and would be serviced by existing I-95 and I-295 interchanges with Route 126/9. Direct site access and egress is provided from the Maine Turnpike (I-95) northbound off-ramp and I-95 southbound on-ramp (Exit 102), which intersect Route 126/9 opposite the site. The site is accessible from both directions of I-295 from a diamond interchange at Route 126/9 (Exit 51) located to the east and adjacent to the site. This site would be visible from both travel directions on I-295 and from southbound I-95.

Northbound site access from the Maine Turnpike will be provided via Exit 102 (Route 126/9) in West Gardiner (refer to Figure 1). Upon leaving the site, northbound traffic will continue approximately 1,000 feet on Route 126/9 to access I-295 northbound at Exit 51, and rejoin the Turnpike at the convergence of I-295/I-95. There is no direct access from I-95 southbound to the site. Southbound access from the



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Turnpike will require taking Exit 103 (I-295 Exit in West Gardiner) briefly onto I-295 to Exit 51 (Route 126/9) to exit to the facility. Patrons returning for southbound Turnpike travel will take the Turnpike southbound on-ramp located opposite the site driveway, and patrons returning for southbound I-295 travel will take Route 126/9 to I-295 southbound ramp located approximately 500 feet to the east.

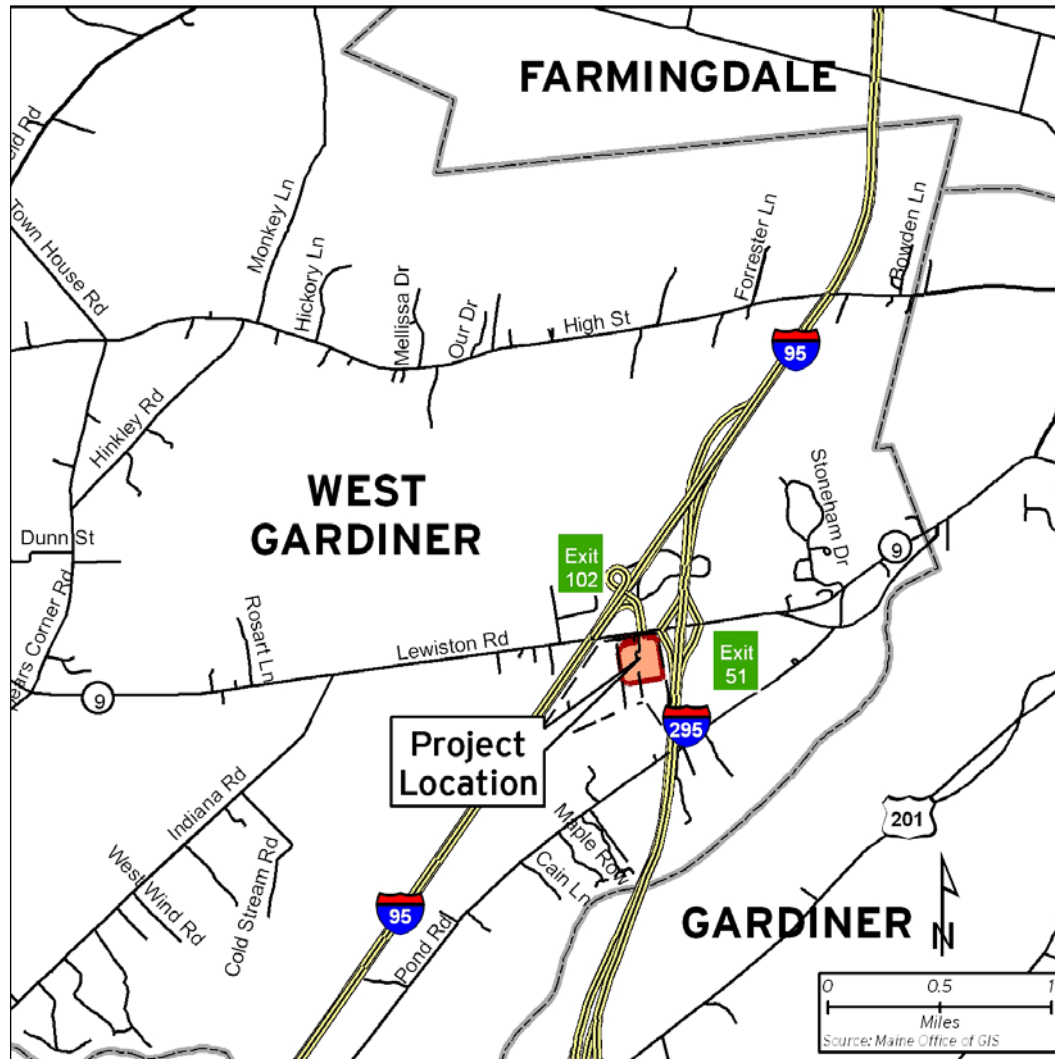


Figure 1 -- Site location and access.

The proposed site for the service plaza/rest area facility occupies approximately 88 acres comprised of four parcels. The Maine Turnpike Authority owns one of these parcels (roughly 46 acres in size). Three privately owned parcels would be affected. The largest parcel (26.23 acres) consists of a vacant

formerly developed (and partially paved and gravel surface) truck parking property with areas of undeveloped land. One residential property (0.87 acre) and one larger residential property (15.1 acres), both fronting on Route 126/9, would also be acquired and the occupants of two residences would be displaced. There is one residence (resident grounds manager) on the commercial property that would also be displaced.

The area proposed for development in the overall 88 acre site is approximately 26 acres. Approximately one half of the proposed development area is forested habitat and one half is grass field, gravel parking,

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pavement, existing structures, and lawn. The existing impervious areas (gravel and pavement parking, driveway, and structures) total approximately 5.3 acres of the 26 acre development.

The environmental constraints on the entire 88 acre site include the presence of approximately 28 acres of wetlands.



**Figure 2 --View looking southeast at site south of Route 126/9, opposite I-95 (Maine Turnpike) northbound off-ramp and southbound on-ramp.**

Development of the proposed West Gardiner site is anticipated to occur in three phases and cost \$23.5 million, including ROW costs estimated at \$1.5 million. One benefit of this site is that all future need-driven expansion phases can be accommodated without causing off-site secondary development impacts.

This Environmental Assessment addresses the potential impacts associated with all three phases of site development including:

- **Phase 1**, scheduled to be operational in 2008, will include the service plaza/rest area, a gas station with gas and diesel fuel pumps, parking for cars, trucks, and buses, and minor turning lane modifications to Route 126/9, and utilities;
- **Phase 2**, projected to be operational in 2016, will involve additional truck parking and an expanded park and ride lot; and
- **Phase 3**, is 20 years or more in the future, and will involve construction of a 4,000 square foot tourist information center and a trucker facility, along with additional car, truck, and bus parking.

The proposed Phase 1 improvements consist of construction of a service plaza/rest area equipped with restaurants, restrooms, and other facilities for motorists, truckers, and buses. The entire service plaza/rest area facility to be constructed under Phase 1 would occupy approximately 13.6 acres of land. The facility site entrance would be located opposite the existing northbound off-ramp and the southbound on-ramp from the Maine Turnpike. The service plaza building will occupy approximately



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17,000 square feet, and a separate gas fueling facility would occupy approximately 900 square feet. An automobile parking lot will accommodate approximately 150 spaces north of the service plaza building. The west side of the main parking lot will include a grassed picnic area and pet walk area, bounded by an exclusive truck/bus access roadway. The service plaza would adjoin a separate employee parking area with 30 spaces on the east side and a loading dock on the west side. Behind (south of) the service plaza, pull in areas for bus parking (3 spaces) would be provided south of the employee parking lot, and a truck parking area would be provided to accommodate 35 truck parking spaces.

Phase 1 improvements on Route 126/9 will modify the intersection of the proposed site entrance and two intersections east of the site based on the traffic analysis. Modifications include the following turn lanes and their associated roadway transitions: 1) a 50-foot eastbound left turn lane onto the Turnpike ramps, 2) 250-foot westbound left turn lane at the site intersection, 3) a 200-foot westbound left turn lane at the I-295 southbound ramps intersection, and 4) a 200-foot eastbound left turn lane at the I-295 northbound ramps intersection. These improvements extend 300 feet west and 1,560 feet to the east from the proposed driveway. Raised traffic islands, stamped pavement islands, and lighting are also proposed at the intersections. All work is expected to occur within the existing pavement by using area from the current 10-foot shoulders and re-striping the roadway to provide the turning lane.



**Figure 3 -- Aerial of site showing completion of Phase 3. Picture is oriented north up. I-95 (Maine Turnpike) and Exit 102 is to the left and I-295 and Exit 51 is to the right.**

The site driveway will use a split access and egress drive layout to accommodate the mix of commercial vehicles, travel trailers, busses, and automobiles. The site entrance will be 40 feet wide for traffic entering from the west and 20 feet wide for traffic entering from the Turnpike ramps and east on Route 126/9. The site exit will be 45 feet wide. Sight distance is adequate for the posted speed limit of 50 miles per hour on Route 126/9. However, flashing beacons and reduced posted speed limits through this section

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are proposed for added safety.

Peak hour traffic volumes are expected to occur between (5 p.m. to 6 p.m. on a typical summer Friday. In the opening year of Phase 1 (2008), the proposed service plaza and rest area is estimated to generate approximately 866 trips ends (that is, 433 trips into the plaza and 433 trips out of the plaza). Average hourly trips into and out of the facility are estimated to be 300 vehicles each. Peak hour volumes are expected to grow at a rate of about 2% per year, based on historical growth trends along the Maine Turnpike and I-295 in the vicinity of the proposed facility. As interstate use increases, so will use at the service plaza/rest area in response to the increased number of travelers. Phase 2 and 3 are not anticipated to increase the peak hour volumes beyond this rate of background growth.

In addition, the service plaza/rest area facilities will be served by the municipal water and sanitary sewerage systems in the City of Gardiner. This will require approximately 7,800 feet of water and sanitary sewer piping to be constructed to extend these services to the site from the City of Gardiner. The connection to the Gardiner water and sewerage systems would be made just east of the West Gardiner/Gardiner municipal border, in the general vicinity of the Gardiner Regional Middle School. From there, the water and sewer piping would extend west approximately 6,100 feet within and alongside Route 126/9. Then the piping would head southwesterly and westerly roughly 1,700 feet through and across I-295 interchange ramps and mainline to the service plaza/rest area site. The majority of the piping length in the Route 126/9 corridor would be located under the paved shoulder area of the eastbound travel lane. The piping installations across the I-295 roadways are proposed to be accomplished with a trench-less technology. The water service pipe is proposed to be 10-inch diameter. To overcome the topography of the piping alignment, a sewage pump station will be located on the east side of the service plaza/rest area site. From the site, the first 5,800 feet of sewer piping will be a 4-inch diameter force main. The remainder of the sewer will be an 8-inch diameter gravity sewer pipe. This water and sewerage service piping will be dedicated for transportation use only, and the size of the water and sewer pipes will be limited to accommodate the transportation facilities in West Gardiner. These measures are intended to control utility access in the non-serviced areas of West Gardiner as a measure to prevent secondary development impacts.

Phase 2 would involve construction of 35 additional truck parking spaces, for a total of 70 spaces, behind the truck parking area. The proposed park and ride facility would replace the existing 54-space park and ride facility located on the north (opposite) side of Route 126/9, providing an increase of 23 park/ride spaces.

Phase 3 improvements could include a tourist information center, trucker facility, expanded truck parking west of the service plaza, additional motorist parking, and a 77-space park and ride lot, depending on demand. An additional 93 truck spaces would be provided in Phase 3, for a total of 163 truck spaces. The expanded Phase 3 motorist parking will provide roughly 166 additional spaces, for a

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total of 316 car spaces.

This location would have desirable toll operations, because toll avoidance (non-payment) could not be achieved under the proposed configuration. However, the Turnpike northbound travelers, which pass through a Turnpike toll plaza just south of Exit 102, would potentially pay an additional toll if using the service plaza/rest area facility after reentering the Turnpike via I-295, which includes the West Gardiner I-295 toll plaza between Exit 51 and Exit 103. Similarly, southbound traffic would pass through both the West Gardiner I-295 toll plaza and the Maine Turnpike toll plaza south of Exit 102. The Turnpike Authority is evaluating methods to provide a toll payment voucher to northbound and southbound Turnpike patrons using the plaza.

This location's access would be gained through existing interchanges with I-95 and I-295 and therefore, would not require a change in access to the adjoining interstate highways. The proposed facility is within the West Gardiner planned growth area as reported in the 1990-2000 West Gardiner Comprehensive Plan.

**Other alternatives considered:** - Please briefly describe all alternatives that were considered. Describe Section 4(f) and Section 404 avoidance alternatives and measures to minimize harm.

An analysis was conducted to identify candidate sites for a new service plaza/rest area, evaluate the site alternatives, and determine the best location. That study called "Maine Turnpike Northern Service Plaza – Site Identification and Screening Report" (MTA and MaineDOT) discusses the project purpose, site identification criteria, screening criteria, alternatives, and the site selection process. A summary of the findings are provided here. Please refer to that report for additional information.

The criteria outlined below were used to define the study area limits and to identify candidate site locations for the northern Turnpike service plaza/rest area facility:

- Distance to other service/rest areas;
- Location on the Maine Turnpike;
- Accessible to I-95 and I-295 travelers;
- Distances to interchange ramps, acceleration lanes, merges, and weaves;
- Proximity to developed/urbanized portions of Augusta;
- Availability of utilities: water, sewer, electricity;
- Site size of approximately 50 to 60 acres;
- Accessible to both directions of traffic;
- Site feasibility and practicability;
- Avoidance of resources and minimization of impacts.

Using these criteria, eight candidate sites (and two site variations) were identified along the six-mile

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stretch of the Maine Turnpike (I-95), extending from just south of the I-295 Interchange in West Gardiner, north through Farmingdale and Hallowell (south of Augusta). One logical location that was considered early on was the confluence of I-95 and I-295, north of Route 126/9 in West Gardiner. However, although the site had a number of advantages related to its location, accessibility, and visibility from I-95 and I-295, the location consisted largely of wetland and would not offer any room for future expansion of a facility.

Two levels of site screening were performed on the eight sites and two site variations, with consideration given to terrain, visibility, access location, access road length and approach grade, bridges required, toll considerations, and costs. Other screening parameters included land uses and land use consistency, traffic, cultural resources, wetlands (based on National Wetlands Inventory mapping and Natural Resources Conservation Service hydric soils mapping), watercourses, aquifers, significant wildlife habitats, farmland soils, and potential contamination.

The first level of screening eliminated five of the ten sites (eight sites with two site variations) initially identified for consideration (Site 1A, Site 4, Site 6, Site 7, and Site 8). The second level of screening involved comparison of alternatives based on development of concept plans and refined costs. The four alternatives that were dismissed during this screening level include Site 2, Site 3, Site 5A, and Site 5B. At the conclusion of the second level of screening, the preferred alternative (Site 1B), located off Exit 102 on the Maine Turnpike and Exit 51 on I-295, was selected for further consideration. The advantages of this site include:

- a high percentage of low quality upland habitat from prior land disturbance,
- a portion of the site would include reuse of previously developed property,
- wetland impacts are lower than the other alternative sites,
- the site setting is between two interstate highways and has good site visibility and economic viability,
- existing access would not change local travel patterns,
- toll operations would not be affected,
- utilities are nearby,
- road grades for trucks are reasonable,
- terrain is relatively flat and minimal site earthwork is required,
- the site development is consistent with the Town's comprehensive plan,
- the site is near a Maine Turnpike maintenance facility, and
- the development cost is reasonable and much less than the other candidate sites.

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## CATEGORICAL EXCLUSION DETERMINATION

Note: If answers below are "no", then FHWA can easily approve CE. For all questions, explain in the Support Information section why significant impacts will not occur and seek FHWA approval of CE.

	No	Yes
<b>Public Involvement</b> – Is there substantial public opposition to proposed action?	X	
<b>Right-of-Way</b> – Does action include a residential or commercial displacement, or acquisition of property rights that will result in substantial abutter impacts?		X
<b>Hazardous Materials</b> – Are there any known State or Federal Uncontrolled Oil and Hazardous Material sites within or adjacent to the action?		X
<b>Cultural Resources (Section 106)</b> – Has the State Historic Preservation Officer (SHPO) concurred that the proposed action will have other than "no effect" on the properties eligible for or listed in the National Register of Historic Places?	X	
<b>Section 4(f) or 6(f)</b> – Does action require use of any property protected by Section 4(f) of the Department of Transportation Act (except for Transportation Enhancement requisitions and preservation of historic sites), or Section 6(f) of the Land and Water Conservation Fund Act?	X	
<b>Wetlands</b> – Does action require an Army Corps of Engineers Programmatic Category III (Individual) Permit?	X	
<b>Sole Source Aquifers</b> – Is action over a sole source aquifer?	X	
<b>Wild and Scenic Rivers</b> – Is action in, across or adjacent to a river designated as a component or proposed to be included in the National System of Wild and Scenic Rivers?	X	
<b>Scenic Byways</b> – If action is proposed on or adjacent to any State or Federal designated Scenic Byway, has MaineDOT determined that the action would have an adverse effect on the Byway (according to the Scenic Byways Coordinator, Scenic Byways Board, and Corridor Management Committee/Plan, as appropriate)?	X	
<b>Noise</b> – Do impacts of action fail to conform to the Noise Abatement Criteria levels (23 CFR 772) and MaineDOT Noise Policy?	X	
<b>Air Quality</b> – Does the proposed action fail to meet Air Quality and/or Conformity requirements?	X	
<b>Endangered Species</b> – If action is proposed in an area known to have Federally listed Endangered Threatened Species or Critical Habitat, will the action affect any of these resources?	X	
<b>Other</b> – Does action adversely impact any known critical or unique natural resource, the quality of adjacent surface water resources, community cohesiveness, planned community growth, or beneficial land use patterns?	X	

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## SUPPORT DOCUMENTATION

### **Public Involvement** – Is there substantial public opposition to proposed action?

There has been no substantial public opposition to the project. Discussions with the landowners and Town of West Gardiner officials have not indicated substantial opposition to the project. The public notice of intent to acquire property for the proposed service plaza/rest area was posted in the local paper on July 7, 2006 and the project plans were available at West Gardiner Town Hall for review and comment between July 7 and July 20, 2006. No public or municipal comments were received. A public information meeting was held on October 5, 2006 and approximately 90 citizens attended. A second public information meeting was held on November 13, 2006 and approximately 70 citizens attended. Future public Information Meetings are anticipated for the project, including: additional public outreach and a Public Hearing consistent with the National Environmental Policy Act; the Maine Department of Transportation Traffic Movement permit; the Maine Department of Environmental Protection's Natural Resources Protection Act permit; the Site Location of Development permit; and the Army Corps Section 404 permit.

### **Right of Way / Land Use** Provide permanent and temporary right-of-way amounts in acres. Break proposed right-of-way amount into land use classification and give typical and maximum right-of-way widths (existing and proposed)

The project will be located on four parcels, encompassing approximately 88 acres. The largest parcel consists of roughly 46 acres within the Maine Turnpike Authority property. The project will also require the acquisition of approximately 42 acres of land from three property owners on the south side of Route 126/9, opposite the Maine Turnpike off-/on-ramp.

The largest privately owned parcel, totaling 26.23 acres, consists of a vacant formerly commercial property that currently has a tenant in a mobile home (residential use). One of the three parcels, a residential property encompassing approximately 0.87 acre, will be acquired in total by the Maine Turnpike Authority as an advanced acquisition/protective purchase. The advanced acquisition is covered under a separate Individual Categorical Exclusion for the purposes of NEPA documentation. The project will also acquire a second residential parcel encompassing approximately 15.14 acres. As summarized below, a total of approximately 16 acres of residential property, approximately 26 acres of vacant commercial property, and 46 acres of Maine Turnpike property will be used for the project.

Parcel	Size	Land Use Type
Parcel No. 1	15.14 acres	Residential
Parcel No. 2	0.87 acre	Residential (advanced acquisition)
Parcel No. 3	26.23 acres	Vacant commercial with residential (mobile home) tenant
Parcel No. 4	46 acres	MTA property



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**Hazardous Materials** – Is there any additional evaluations or remediation work that has to be done regarding hazardous or contaminated material? If so, please explain.

Site screening for known contamination by review of federal and state databases found a portion of the site has developed land use history and contamination potential. Further research, including a Phase 2 environmental assessment found that the underground fuel tanks were removed. The Phase 2 investigation found some soil contamination in the ground near the former fuel pumps. That soil may be removed for proper off-site disposal should further analyses warrant the removal. In addition, the site investigation found an underground fuel spill entered one of the proposed acquisition properties from off-site. The source tanks from that contamination were also removed. From preliminary findings, on-site contamination poses no threat to the development of the site. However, special handling specifications will be provided for construction contractors working within or near the fuel contamination areas.

A Phase I environmental assessment was also conducted along the proposed utility route and no hazardous or contaminated materials were encountered. No additional evaluation or remediation work is anticipated. Should unforeseen contamination be encountered, project construction specifications will include methods for assessment, exposure risk reduction, control and proper disposal of materials.

**Cultural Resources** – Summarize the Section 106 process including any historic architectural and archaeology resources.

The Maine Historic Preservation Commission indicated, in correspondence dated January 18, 2006, that no historic (architectural or archaeological) properties would be affected by the proposed undertaking. A subsequent site walkover performed by a qualified historian/archaeologist also did not identify areas of archaeological sensitivity or historic potential on the project site.

**Section 4(f)** – If Section 4(f) property is being used, indicate which type of Section 4(f) evaluation applies. Also, in a few paragraphs describe below or attach (1) a list of 4(f) properties near the project, (2) a description and list of the 4(f) properties impacted, (3) the views of official with jurisdiction, and (4) any appropriate photos or plan sheets.

De Minimis		Historic sites		Bikeways and Walkways	
Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges		Historic bridges		FULL (DOI & legal review)	

Section 4(f) of the U.S. Department of Transportation Act provides for protection of publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites. There are no Section 4(f) properties in the project area. The project will not affect public recreational lands, historic resources, or wildlife and waterfowl refuges.

**Section 6(f)**

There are no public recreational areas that were purchased using Land and Water Conservation Funds (LWCF) that are subject to protection under Section 6(f) of the U.S. LWCF Act. No publicly owned Section 6(f) parks or recreational areas would be affected by the project.

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#### **Wetlands** – Describe or attach (1) wetland size and impacts

This site is located predominantly in uplands of Buxton silt-loam soils that were previously graded and developed as a truck facility. Much of the ground surface of the formerly developed site was graded with gravel and portions were paved. Along the western and southern perimeter of the Buxton soils are Scantic silt-loams. Scantic silt-loam soils are deep, poorly drained, level or nearly level soils that formed in silt and clay deposited by ponded water. Scantic soils are considered hydric and tend to be wetlands. There is also a small area of Scantic soils along the eastern edge of the site between the I-295 ramp and the proposed service plaza/rest area. At the site, the transition between the Buxton and Scantic soils is not an abrupt wetland edge, and is best characterized as a wavy transition with many elongated fingers of wetland. The wetland fingers generally follow slight depressions and swales sloping to the south.

The predominant hydrogeomorphic setting of the wetlands at the proposed service plaza/rest area is a gentle slope. Most of the wetlands' water flows in a distinct direction on very slight grades. One small excavated depressional basin wetland is located within a slope wetland lobe. There are no riverine wetland systems at the proposed service plaza/rest area.

Wetlands were delineated at the site using the 1987 Army Corps delineation method. Delineation covered the four properties associated with the proposed service plaza/rest area and did not include properties off-site to the south. Wetlands were also delineated along I-295 and Route 126/9 along the proposed utility route. Wetland boundaries were marked with numbered survey ribbons and ribbon locations surveyed using Global Positioning Survey equipment. Maintained ditches bordering the roadways were not flagged.

During the site soil survey and wetland delineation, a certified Maine soil scientist found that the areas mapped as Scantic silt loam are more closely described as poorly drained Roundabout silt loam. Roundabout silt loam is similar to Scantic silt loam, and occurs in similar landscapes, but includes both poorly drained and somewhat poorly drained drainage classes. Roundabout silt loam has a lower percentage of clay and higher percentages of medium and coarse texture substratum.

The wetland resource information was plotted on base mapping for use in site planning to avoid and minimize direct impacts. Wetland areas were characterized by type, such as forested, emergent, scrub-shrub, and functional assessments were conducted using the Army Corps New England Division Descriptive Approach.

From the surveyed wetland boundary information, it was found that the Scantic soils at this site are not entirely wetland, and the soil unit contains many inclusions of upland on slight knolls. It is estimated that approximately 50% of the areas mapped as hydric Scantic soil are technically wetland. Figure 4 shows the proposed site with the delineated wetland boundaries and the Scantic soils from the NRCS soil survey.

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#### Wetland Descriptions

Forested wetlands occur within the western-most section of the site. The dominant species within the overstory include red maple (*Acer rubrum*), American elm (*Ulmus americana*), green ash (*Fraxinus pennsylvanica*), balsam fir (*Abies balsamea*) and shallow rooted white pine (*Pinus strobus*). Species within the shrub layer include speckled alder (*Alnus incana*), honeysuckle (*Lonicera* spp.), glossy buckthorn (*Frangula alnus*), (an invasive species), white pine, and meadow sweet (*Spiraea latifolia*). Jewelweed (*Impatiens capensis*), sensitive fern (*Onoclea sensibilis*), New York fern (*Thelypteris noveboracensis*), and rough stemmed goldenrod (*Solidago rugosa*) are commonly found in the herbaceous layer. The soils are poorly drained Roundabout silt loam and the water regime is saturated.

The scrub-shrub wetlands are dominated by early successional species including shallow rooted poplar (*Populus tremuloides*), shallow rooted white pine, and grey birch (*Betula populifolia*) in the over story. Shrub species include glossy buckthorn, meadow-sweet, arrowwood (*Viburnum dentatum*), willow (*Salix* spp.) and green ash. Species within the herbaceous layer include sensitive fern, glossy buckthorn, rough stemmed goldenrod, red top (*Agrostis alba*), bristly blackberry (*Rubus hispidus*), and giant goldenrod (*Solidago gigantea*).

The soils in the scrub-shrub wetlands are poorly drained Roundabout silt loam and Scantic silt loam. Indicators of wetland hydrology include wetland drainage patterns and shallow rooted trees. The US Fish & Wildlife Service's water regime classification would define these wetlands as saturated, in which the "substrate is saturated to the surface for extended periods during the growing season, but surface water is seldom present."

Within the proposed site the emergent wetlands are located in the southern half of the site; adjacent to the west side of the southbound I-295 ramp; and along the proposed utility corridor. A small area of emergent wet meadow is located near the treeline at the western side of previously cleared property. The dominant wetland species include: sensitive fern, soft rush (*Juncus effusus*), purple loosestrife (*Lythrum salicaria*), (an invasive species), fox sedge (*Carex vulpinoidea*), pointed broom sedge (*Carex scoparia*), cinquefoil (*Potentilla simplex*), St. John's Wort (*Hypericum perforatum*), and red top. The wetlands located within the I-295 and Route 126/9 right-of-ways and west of the southbound I-295 ramp are generally disturbed areas dominated by a mix of cattail (*Typha latifolia*) and reed canary grass (*Phalaris arundinacea*).

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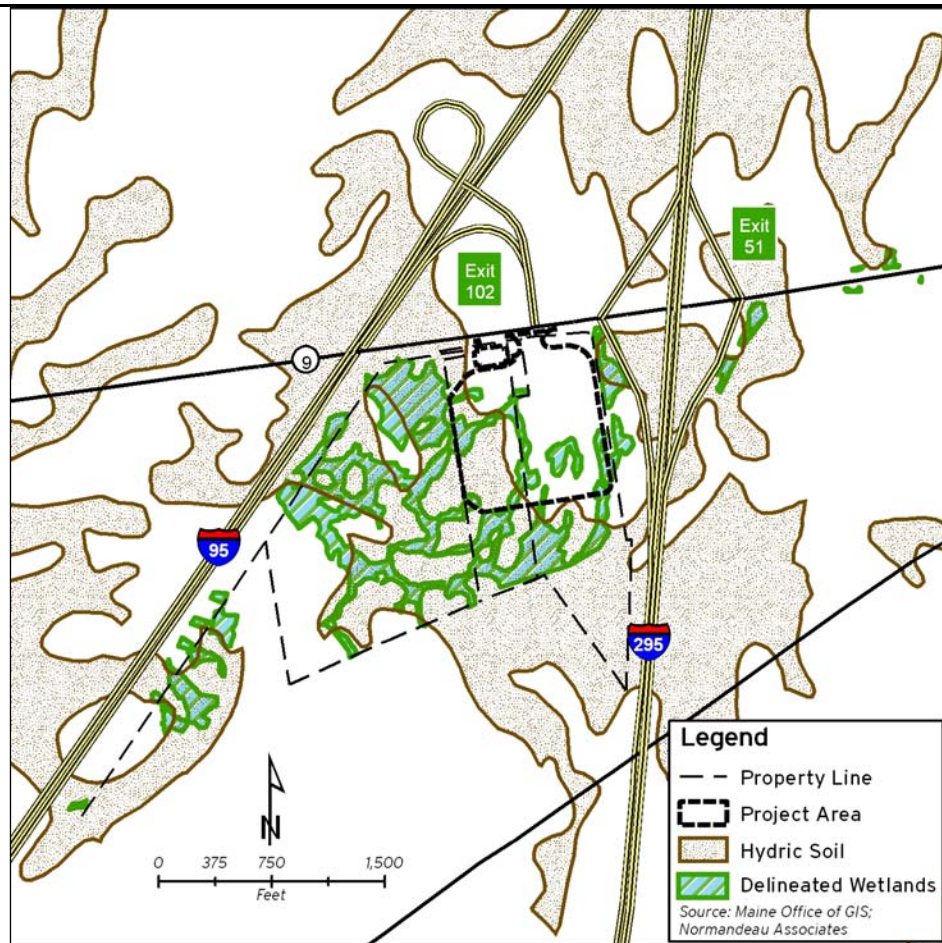
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**Figure 4 -- Wetland boundaries with hydric soils from NRCS mapping**

The soils in the emergent wetlands are poorly drained Roundabout silt loam and Scantic silt loam. Indicators of wetland hydrology include wetland drainage patterns. The water regime would be classified either as saturated or seasonally flooded, defined as “surface water is present for extended periods especially early in the growing season, but is absent by the end of the growing season in most years” depending on the height of the seasonal water table.

Wetlands to the east of the site within I-295 Right-of-Way are emergent and wet meadow wetlands, and some scrub-shrub wetlands. Drainage ditches occur near the toe of roadway embankment. Wetlands on the east side of the I-295 interchange along the I-295 northbound off-ramp are emergent and wet meadow types. An intermittent stream crosses Route 126/9 approximately 800 feet east of the I-295 northbound off ramp, draining from the north to the southeast to Cobbosseecontee Stream.

#### Wetland Functions and Values

Several of the proposed wetland impact areas reflect prior disturbances from earth moving/grading, tree-cutting and mowing. These disturbances affect the cover types and some of the wetland functions they provide. For instance, wet meadow occurs as a result of mowing, and the scrub-shrub wetlands at this site are a transitional state toward re-forestation after prior timber cutting or grading. Maintaining the wet meadow has improved the botanical diversity and increased the production export of the wetland through export of flowering plant nectar, and by providing diverse herbaceous plants for insect and mammal grazing.

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The wetland functions and values observed at the service plaza/rest area site include groundwater discharge, flood flow alteration, wildlife habitat, sediment/toxicant retention and transformation, nutrient removal, and production export. The predominant functions are groundwater discharge and wildlife habitat. The degree of wildlife habitat function generally reflects the hydrology of the wetlands. Wetter areas provide more diverse wildlife habitat and stronger functions, while the drier areas with less-persistent surface water tend to have less wildlife functions, and less diverse wildlife assemblages. Since many of the wetland lobes that will be affected by the proposed development are drier, their wildlife functions are not as distinct as may be observed in wetter areas such as marshes. Wetland areas in slight depressions offer some flood flow alteration capacity, however, none of the wetland areas are directly associated with a watercourse or water body so any storage function occurs relatively high in the watershed.

Wetlands within the route of the proposed utilities provide water quality functions, including sediment/toxicant retention and transformation, and nutrient removal, and also flood flow alteration and wildlife habitat. These wetlands provide groundwater discharge functions as well. One intermittent watercourse along the proposed utility route also provides potential fisheries habitat.

#### Wetland Impact Areas

The wetlands on site that will be affected by the service plaza/rest area development are mostly the upper fingers or lobes of the greater wetland complex on the property. The central area of the wetland complex, beyond the proposed impact, is a highly interspersed mosaic of wetland and upland "islands." In total, the wetland area on the four properties comprising the site is roughly 28 acres of predominantly forested wetland. Similar type wetlands extend off-site to the south. Generally, wetland areas with the most persistent hydrology and wetter surface conditions occur beyond the proposed impacts. There are no streams associated with the wetland lobes at the proposed service plaza/rest area. The wetland lobes that will be affected by the project are higher on the slopes and tend to be drier than the central wetland area. Small portions of the site wetlands include other cover types including emergent/wet meadow and scrub-shrub covers.

The full build-out of the project (total of Phases 1-3) will affect approximately four acres of predominantly forested wetland. The third phase expansion is expected to occur in 20 years or more. The first phase will permanently affect roughly 1.8 acres of wetland, and the second phase will permanently affect roughly 0.7 acre of additional wetland. Should only the initial two phases be permitted, the project would qualify for an Army Corps Programmatic General Permit since permanent and temporary impacts would be less than three acres. The third phase will alter roughly 1.5 acres of wetland bringing the total permanent wetland impact to four acres. In total, less than 1,300 square feet (0.03 acre) of emergent and 5,600 square feet (0.13 acre) of wet meadow will be impacted. Wetlands along the sewer and water utility lines will be temporarily affected during installation of the utilities. Temporary impacts will include a narrow work trench that will be restored to original grade as wetland.



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Based upon an estimated disturbance width of 45 feet, approximately 17,000 square feet (0.4 acre) of scrub-shrub and wet meadow wetland will be temporarily impacted and will occur in Phase 1.

Mitigation of wetland impacts is anticipated to be made nearby in the same watershed. An on-going investigation of possible wetland mitigation sites is being conducted. From the initial mitigation site investigation it is anticipated that sufficient mitigation areas can be found to compensate all wetland impacts associated with this project. The lost wetland functions attributable to the service plaza/rest area will be replaced at a ratio of at least 1:1, resulting in no net loss of wetlands by the project.

**Sole Source Aquifers** - Describe or attach (1) plans showing extent, and (2) coordination conducted to-date with the USEPA/MDEP.

The U.S. Safe Drinking Water Act gives the U.S. Environmental Protection Agency the authority to designate aquifers that are the sole or principal drinking water supply for an area that if contaminated, would create a significant hazard to public health. There are four designated Sole Source Aquifers in Maine, none of which are located in the vicinity of the project area.

**Wild and Scenic Rivers** -Is action in, across or adjacent to a river designated as a component or proposed to be included in the National System of Wild and Scenic Rivers?

There are no designated National Wild and Scenic Rivers in the project area. The Nationwide Rivers Inventory is a listing of free-flowing rivers that are believed to possess one or more outstandingly remarkable natural or cultural values judged to be of more than local or regional significance. The rivers included on the Inventory are potentially eligible for designation as a National Wild and Scenic River. Portions of the Kennebec River are included in the Nationwide Rivers Inventory. However, the project is not located in the vicinity of the portions of the river that are included in the inventory.

**Scenic Byways**- If action is proposed on or adjacent to any State or Federal designated Scenic Byway, has MaineDOT determined that the action would have an adverse effect on the Byway (according to the Scenic Byways Coordinator, Scenic Byways Board, and Corridor Management Committee/Plan, as appropriate)?

There are four National Scenic Byways and five state-designated scenic byways in the state of Maine. None of the National Scenic Byways or Maine State Scenic Byways occur in the project area.

**Noise** – Summarize or attach noise analysis, including where noise abatement may be reasonable and feasible.

The site is located between the two interstate highways. Traffic on these highways is the primary noise generator in the setting. The project will result in additional vehicle diversions accessing the proposed service plaza/rest area facility between the Maine Turnpike (I-95) and I-295. However, the only noise-sensitive receptors along this section of Route 126/9 are those residential properties (three residences) that will be displaced by the project, and no other sensitive receptors would be affected by the project. This section of state roadway includes Turnpike maintenance facilities and an existing park and ride lot, which are not considered to be noise-sensitive uses. There are no other residential or commercial properties along this portion of Route 126/9 between I-95 and I-295. On Route 126/9 to the west of I-95 the closest residence is approximately 1,100 feet away. To the east of I-295 on Route 126/9 the closest residence is approximately 2,000 feet away. To the south of the site the closest residence is on Pond Road over 1,800 feet from the proposed facility and separated by a mature forest buffer. Other residences occur along Pond Road to the east of I-295 and are over 1,600 feet away, however, the interstate is between the residences and the proposed facility. Based upon the proposed site use, setting, natural buffers, and



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distances to residences, the project is not expected to cause significant noise impacts. Utility construction may involve blasting in some areas, and emissions of construction equipment noise along residential sections of Route 126/9, but this effect would be temporary and short term in nature. Appropriate construction noise mitigation measures, such as scheduling of noise-generating activities for daytime hours, and stringent blasting control plans will be employed to minimize noise impacts.

**Air Quality** – If it is anticipated that this is an added capacity project, please submit a build/no-build comparison of vehicle-miles-traveled of the project area to the Bureau of Planning for inclusion in the Conformity Analysis of the next Long Range Transportation Plan or Statewide Transportation Improvement Program.

The U.S. Clean Air Act established National Ambient Air Quality Standards (NAAQS) for six priority pollutants to protect public health and the environment. Compliance with the NAAQS is determined by the U.S. Environmental Protection Agency and the Maine Department of Environmental Protection.

The project is located within Kennebec County, an area that has been identified as being in attainment for the 8-hour ozone standard and the 1-hour ozone standard, carbon monoxide and fine particulates. This area was previously in non-attainment for the 1-hour ozone standard, but has maintained attainment since the 1990s. This area has since been reclassified as a maintenance area for the 1-hour standard. The project will not result in additional highway capacity or an increase in vehicle miles traveled, but would divert plaza patron vehicles from the Maine Turnpike and I-295. The project would incorporate an expansion of park and ride facilities, which would encourage ridesharing and would result in some nominal reductions in air quality emissions. The project is not anticipated to result in an increase in regional air quality emissions and would therefore be considered to be in consistent with statewide air quality plans.

The project is included in the Maine Statewide Transportation Improvement Program (STIP), in accordance with the Federal Highway Administration Federal-Aid Project Agreement (Project No. 1339(300)), as authorized on February 15, 2006. The project, as an element of the STIP, would also meet conformity requirements for this air quality maintenance area under the State Implementation Plan developed in accordance with the U.S. Clean Air Act.

The Turnpike Authority is currently investigating Truck Stop Electrification (TSE) technology for all service plazas. TSE would allow trucks to maintain cab climate control without having to run the truck engine. Contact has been made with several companies who are considering the economic viability of the investment. Conduit will be installed in the truck parking lot at the West Gardiner Service Plaza/Rest Area to accommodate this technology in the future.

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**Threatened and Endangered Species/Essential Fish Habitat** – Include summary of coordination with USFWS/MDIF&W.

There are no documented occurrences of federally or state-protected species in the project area. The U.S. Fish and Wildlife Service, the Maine Department of Inland Fisheries and Wildlife, the Maine Natural Areas Program, and the Maine Department of Marine Resources were consulted regarding the presence of federally or state-protected habitats or species in the project area. The U.S. Fish and Wildlife Service, in correspondence of February 2, 2006, indicated that no federally listed species are known to occur in the project area, with the exception of the occasional, transient bald eagle (*Haliaeetus leucocephalus*). The Maine Department of Inland Fisheries and Wildlife indicated, in correspondence of March 22, 2006, that, based on current data available, there are no known essential or significant wildlife habitats, nor any documented occurrences of rare, threatened, or endangered species at or adjacent to this property. The Maine Natural Areas Program indicated, in correspondence dated January 11, 2006, that there are no rare botanical features, including habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities, documented specifically in the project area.

**Other** – Does action adversely impact any known critical or unique natural resource, the quality of adjacent surface water resources, community cohesiveness, planned community growth, or beneficial land use patterns?

There are no critical or unique natural resources that have been identified by federal and state resource and regulatory agencies, or by site inspections by environmental scientists. Much of the proposed development area is disturbed field and gravel parking from former development and land use practices. Portions of the development will include early successional forest to the south of the open field and gravel areas. The western-most portions of the proposed development are forested land and would be slightly encroached during development of the initial construction phase. The Phase 3 future build-out of the site would further encroach the forested habitat by approximately 400 feet to the west, affecting approximately six acres forested land.

The project will include a site drainage system that will incorporate a wide range of Best Management Practices to attenuate peak flood flows and provide water quality treatment of stormwater runoff. The site development will meet the State of Maine's most-recent stormwater management standards and therefore, no significant off-site effects to wetlands, water bodies or watercourses are anticipated.

The Maine Turnpike Authority employs practices and equipment to control salt along the roads and in facilities. Examples include: state-of-the-art automated salt application devices on the trucks, annual training of salt truck operators, use of calcium chloride supplements with road salt during colder temperatures, application of salt brine to roadways prior to snow events, and storage of salt at covered facilities at maintenance yards. These measures will all help to reduce the salt effects in the environment and at the facility.

The project will not affect community cohesiveness, since the project site is already bordered by the Maine Turnpike (I-95) on the west and I-295 on the east, and other state transportation facilities. The

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project is not near the center of community activity and the site was previously established as a truck facility. The project location is ideally suited for a transportation use. The service plaza/rest area project is consistent with planned community growth, since the project site is located within the West Gardiner planned growth area.

## SUPPLEMENTAL INFORMATION

**Early Coordination** List (1) Parties to whom the early coordination letter was sent, (2) indicate whether the party responded and if so the date of the response, and (3) attach correspondence.

Coordination letters were sent to the U.S. Fish and Wildlife Service, the Maine Department of Inland Fisheries and Wildlife, and the Maine Natural Areas Program, as discussed under "Threatened and Endangered Species." The Maine Historic Preservation Commission was also consulted, as discussed under "Cultural Resources." The agency correspondence sent and received are summarized below, and this correspondence is attached:

<b>Agency</b>	<b>Date Sent</b>	<b>Date Received</b>
U.S. Fish and Wildlife Service	December 29, 2005	February 2, 2006
Maine Department of Inland Fisheries and Wildlife	December 29, 2005	March 22, 2006
Maine Natural Areas Program	December 29, 2005	January 11, 2006
Maine Historic Preservation Commission	December 29, 2005	January 18, 2006

All of the above agencies responded that there are no significant resources at or nearby the site that would be affected by the proposed project. Additional project coordination included:

- Presentation of the project at the March 14, 2006 Joint Agency Meeting at the Maine Department of Transportation in Augusta, Maine. Representatives from state and federal resource and permitting agencies were present.
- Introductory meeting and field visit on June 13, 2006 with the Army Corps and Maine Department of Environmental Protection to discuss the project alternative sites and selection, and to visit the preferred site in West Gardiner.
- Public Notice in the Kennebec Journal (July 7, 2006) of the intent to acquire a parcel through an Advanced Acquisition; project plans were provided in the Town of West Gardiner Town Hall from July 7 – July 20, 2006 and the comment period included July 7 through July 24, 2006.

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- Pre-application meeting for Site Location of Development and Natural Resources Protection Act permits on August 21, 2006 at Maine DEP in Augusta.
- Legal notice in the Kennebec Journal (September 26, 2006) for the October 5, 2006 Public Information Meeting.
- Display advertisement in the Kennebec Journal (October 4, 2006) for the October 5, 2006 Public Information Meeting.
- Public Information Meeting on October 5, 2006 at the West Gardiner Elementary School.
- Federal agency meeting on October 5, 2006 to discuss federal wetland permitting.
- Presentation of the project at the October 10, 2006 Joint Agency Meeting at the Maine Department of Transportation in Augusta, Maine. Representatives from state and federal resource and permitting agencies were present.
- Pre-application meeting for Site Location of Development and Natural Resources Protection Act permits on October 18, 2006 at Maine DEP in Augusta.
- Legal Notice in the Kennebec Journal (November 4, 2006) for the November 13, 2006 Public Information Meeting.
- Display Advertisements in the Kennebec Journal (November 8 and 12, 2006) for the November 13, 2006 Public Information Meeting.
- Display Advertisement in the Capital Weekly (November 9, 2006) for the November 13, 2006 Public Information Meeting.
- Public Information Meeting on November 13, 2006 at the Gardiner Regional Middle School.

### **Relocations** – Describe any relocations.

The development of the West Gardiner service plaza/rest area requires the acquisition of approximately 42 acres of land from three property owners. One of the three parcels, Parcel No. 2, will be taken in total by the Maine Turnpike Authority as an Advanced Acquisition/Protective Purchase as documented in the Individual Categorical Exclusion for the Protective Purchase. Parcel No. 2 contains a privately owned home on 0.87± acres.

As noted in the MaineDOT Right of Way Manual (January 2006), a protective purchase can be made “in advance of general project acquisition if development of the property is imminent and would limit future transportation choices or increase project costs.” It also states “The potential for development must be clearly demonstrated and the development must be imminent.” Parcel No. 2 proved a candidate for an Advanced Acquisition as a Protective Purchase as it met all of the criteria listed above. The West Gardiner service plaza/rest area is included in the current, approved State Transportation Improvement Plan. Once the subject owners became aware of the proposed project and the potential impact to their property, they notified the Maine Turnpike Authority of their intent to sell.

The parcel in question will be needed in its entirety for construction of the facility and a Park and Ride

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lot. The potential for this property to be purchased by a competing commercial venture should the Maine Turnpike Authority have chosen not to purchase the property was deemed high. It was determined that acquisition costs would be significantly greater should this occur and the taking pursued after the fact.

The project also will require the taking in its entirety of Parcel No. 1, which contains a privately owned home on 15.14± acres, and Parcel No. 3, which contains a leased mobile home on 26.23± acres. Parcel No. 3 was formerly in commercial use as a trucking facility. The property is no longer in commercial use by the truck business.

Maine Turnpike Authority, with the endorsement of the Maine Department of Transportation, will attempt to purchase the remaining property required for the proposed project through negotiation. Historically, the Maine Turnpike Authority has been able to negotiate a fair and reasonable price with owners; however, the Maine Turnpike Authority has statutory authorization to acquire property needed for improvements by eminent domain.

Title 23 M. R. S. A. §1965 (1) (G) authorizes the Maine Turnpike Authority to “Acquire any such real property by the exercise of the power of eminent domain in the manner provided by §1967”. Title 23 M. R. S. A. §1967 states: “2. Use of Eminent Domain. Whenever a reasonable price cannot be agreed upon for the purchase or lease of real property found necessary for the purposes of the authority or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown, the authority may acquire by eminent domain any such real property whether wholly or partly constructed or interest or interests therein and any land, rights, easements, franchises and other property deemed necessary or convenient for the construction or reconstruction or the efficient operation of the turnpike, its connecting tunnels, or bridges, overpasses, underpasses or interchanges, or both, in the manner provided by Chapter 3, Subchapter III. Title to any property taken by eminent domain shall be in the name of the authority.”

Thus, if after negotiation with the owners of property required for the West Gardiner service plaza/rest Area, a reasonable price cannot be agreed upon for the purchase, the laws of the State of Maine authorize the Maine Turnpike Authority to acquire the necessary property by eminent domain.

The Maine Turnpike Authority will adhere to the FHWA-approved Maine DOT Right-of-Way manual, and Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) which states that no person shall be displaced from their homes, businesses, or farms by federal or federally-assisted construction projects unless a comparable replacement dwelling has been made available. Displaced persons are entitled to relocation payments and other assistance to facilitate their purchasing or renting a decent, safe, and sanitary replacement dwelling, adequately sized and functionally equivalent, within the financial means of the displaced person, and in a location not subject

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to unreasonable adverse environmental conditions or generally less desirable than the location of the displaced person's dwelling.

**Flood Plain Encroachments/Stream Channel/Waterway/Groundwater/Water Table** – Describe any effects the project might have on flood plain, stream channel, waterways, groundwater, and the water table.

There are no floodplains or floodways at the project site or along the utility route.

The project is located entirely within the watershed of Cobbosseecontee Stream, a tributary to the Kennebec River. The site's existing drainage is predominantly into wetland swales draining toward the south and southwest, eventually into Cold Stream, a tributary to Cobbosseecontee Stream, which drains into the Kennebec River more than four miles from the proposed service plaza/rest area facility. A small area of the site's northeast corner drains to I-295 highway right-of-way, passes under the highway and eventually to an unnamed stream draining to the southeast to Cobbosseecontee Stream. There are no streams within or nearby the site of the proposed service plaza/rest area. A wetland swale near the site's southern property line collects intermittent flows in a westerly direction toward Cold Stream, which is located about a mile to the west of the Maine Turnpike. Over one mile south of the project site, Cobbosseecontee Stream flows to the northeast, roughly paralleling Route 126/9.

The proposed utility route along Route 126/9 extends within approximately 800 feet of Cobbosseecontee Stream at its closest point where the utilities tie-in near the Gardiner/West Gardiner town line. The eastern-most utility work is approximately two miles from the confluence of Cobbosseecontee Stream and the Kennebec. Four intermittent streams are crossed by Route 126/9 along the proposed utility route and all discharge into Cobbosseecontee Stream. However, utility work along Route 126/9 will mostly take place within the existing roadway, and will not directly involve any of the streams.

The site is not located over a significant sand and gravel aquifer. The site is underlain by marine clays which create a restrictive layer from deep infiltration by surface waters. Near the center of the proposed development, test borings conducted for the Phase 2 environmental assessment and for the geotechnical investigation found groundwater near the surface (approximately two feet below grade) due to a perched condition caused by the restrictive clay layer. The depth to the restrictive layer is roughly two to four feet below grade and the clay layer is about six feet thick. Based upon this restrictive condition, it is inferred that the site does not contribute to deep groundwater recharge. Development of this site will not significantly affect the deep groundwater of the vicinity, but could affect the shallow perched groundwater immediately beneath the development. Existing potable water and environmental test wells will be sealed to protect the underlying groundwater resources.

The facility will include a comprehensive stormwater management system that will provide areas suitable for groundwater recharge, such as rain gardens, wet basins, and wetland swales. The stormwater treatments will also provide water quality protection to surface and groundwater in the vicinity. Based upon the site conditions and the proposed enhancements, no negative effects to groundwater resources



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are anticipated.

The project will include stormwater storage features to control the peak flows and water quality from the site. The project is subject to the State of Maine Stormwater Management Act and the facility will include stormwater management features in compliance with the standards. Based upon the project size, development type and watershed, three stormwater management standards are applicable; basic standard, general standard and flooding standard. Compliance with these strict standards will assure that off-site impacts to watercourses and water bodies will not occur.

Dewatering during construction of most of the facility is not anticipated, but may be needed in some areas. During utility installation, temporary dewatering may be needed in some locations. If dewatering is needed, appropriate best management practices to protect wetlands and watercourses will be specified in final contract documents.

**Agriculture** Describe or attach (1) amount of prime and non-prime farmland impacted, (2) discuss farmland conversion impacts, and (3) Farmland Conversion Impact Rating Sheet (Form AD-1006), if applicable.

There are no existing agricultural uses on or adjacent to the project site. Farmland soils within the vicinity of the West Gardiner service plaza/rest area were reviewed utilizing the Maine Office of Geographic Information Systems (OGIS) soils database. The database identifies areas of prime farmland and farmland of statewide significance.

No prime farmland was shown to exist within the subject area. No farmland of statewide significance was shown to exist within the site of the service plaza/rest area.

An area of farmland of statewide significance occurs just south of the interchange of Interstate-295 and Route 126; however, this area lies within the Maine Department of Transportation right-of-way of Interstate-295. Consultation with the United States Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) County Office determined that due to the disturbed nature of the soil in this area and the fact that it will never be utilized for agriculture due to its location within the roadway right-of-way, it is no longer considered a farmland of statewide significance. The NRCS confirmed this on the USDA Farmland Conversion Impact Rating Form submitted for the proposed project.

**Socioeconomic** – Describe or attach temporary and permanent economic and social effects of the proposed project.

The project is consistent with local community growth plans, as the project site is located within the West Gardiner planned growth area reported in the 1990-2000 Comprehensive Plan. There are no fuel stations, restaurants or convenience stores in the immediate vicinity of the project. Since the site will be accessible from Route 126/9, non-highway users will also have local access to facility services. The commercial use of the site was discontinued independently of this proposed service plaza/rest area,

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therefore, no commercial or industrial business displacement will be required. The proposed facility will provide tax revenue to the Town of West Gardiner, therefore, no loss of tax base to the community is anticipated.

The project will result in additional drive-by traffic to a short section of Route 126/9 between I-295 and the site. However, the project site occupies the land area between I-95 and I-295, limiting potential proximity effects and socioeconomic impacts, since remaining adjacent land is designated for or in transportation uses between these major interstate highways. The land uses that will remain along this section of Route 126/9 are the Maine Turnpike maintenance facility and an existing park and ride lot, and highway ramps, so no impacts to adjoining land uses are anticipated as a result of increased drive-by traffic.

The utility work along Route 126/9 may create minor inconveniences during the estimated three month construction period, although this is not expected to incur substantial socioeconomic impacts. Route 126/9 traffic will be maintained with two travel lanes. Only minor lane closures in work areas may be temporarily required. The utility connection would be made in front of the Gardiner Regional Middle School, but construction in front of the school property could be completed quickly and minimize the work duration at that location.

**Detours/Traffic Maintenance** – Describe any detours used during construction.

Most of the service plaza/rest area construction activity will occur off the roadway and not require any disruption within a roadway or the right-of-way. Construction equipment and contractors will be accessing the site during construction for a period of approximately 12 months. Minor work will take place on Route 126/9 to add turning lanes at the facility. The turning lane construction would be staged to maintain two-way traffic along Route 126/9, with some minor lane closures of short-term duration. No major long-term roadway closures or detours will be required during project construction. Utility work within the paved shoulder of Route 126/9 is required over a distance of approximately 6,100 feet (1.16 miles). That work is anticipated to take three months and may involve short duration lane closures.

**Other construction projects** – Describe other roadway design or construction projects in the area.

There are no known planned development or construction projects near or adjacent to the project site.

**Permits/Mitigation** – Are there any permits that must be applied for in final design? If so, list them. What are the current mitigation requirements for this project? Differentiate between “Firm” and “Optional” commitments.

This project will require both state and federal wetland permits including State of Maine Department of Environmental Protection Natural Resources Protection Act, and U.S. Army Corps Section 404 of the Clean Water Act. State of Maine Site Location of Development is also applicable to this project so Department of Environmental Protection approval is required through that regulatory program. The Maine Stormwater Management Law is applicable and those regulatory aspects will be administered through the Site Location of Development permit. A State of Maine Department of Transportation

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Traffic Movement Permit is also required for this project. There are no local zoning or site plan review ordinances in West Gardiner, therefore, no local permits or authorizations required. The Maine Turnpike Authority and MaineDOT have met with the communities and the desires of the communities have been conveyed to the agencies.

#### Mitigation

Wetland impacts in excess of 20,000 square feet must be mitigated per Maine Natural Resources Protection Act guidance, and the federal no-net loss policy for wetlands infers all wetland impacts should be mitigated. Currently, mitigation site identification and evaluation efforts are underway for this project with a focus on identifying mitigation areas of size appropriate for the roughly four acres of direct impacts attributable to the complete build-out (Phase 3). The Maine Turnpike Authority and Maine DOT are committed to providing an appropriate wetland mitigation plan that will be included with the state and federal wetland permit applications. The mitigation approach includes restoring degraded or filled wetlands, enhancing existing wetlands, and possibly preserving existing wetlands or valuable habitats.

#### **Topography/Geology** – Briefly describe project area topography and geology.

The proposed service plaza/rest area facility site is relatively flat. The project site includes the proposed corridor for the water and sewer construction along Route 126/9. The topography along Route 126/9 has steeper grades, with a topographic high approximately 0.6 mile east of I-295, where elevations increase from approximately 200 feet to a high of approximately 285 feet. From this point, the Route 126/9 utility corridor slopes more gently to the east, to the eastern terminus of the project in Gardiner, which is situated approximately 0.15 mile north of Cobbosseecontee Stream.

The bedrock geology at the proposed facility site consists of Silurian-Ordovician Vassalboro Formation, and the bedrock underlying the proposed utility corridor route consists of the Ordovician-Precambrian Z Cushing Formation, on the west, and Devonian Granite, on the east.

Surficial geology at the service plaza/rest area site consists of glaciomarine deposits of silt, clay, and sand of the Presumpscot Formation. Areas underlying the I-295 Interchange and extending east along Route 126/9 consists of artificial fill. The western portion of the proposed utility corridor, south of the artificial fill, is comprised of Presumpscot Formation, and areas along the eastern portion of the utility corridor is mapped as having less than 10 feet of glacial till with bedrock outcrops.

#### **Secondary Impacts/Cumulative Impacts/Others** – Discuss any reasonably foreseeable secondary and cumulative impacts from the project. Other environmental impacts not covered under previous topics should be included here.

The operation of the service plaza/rest area facility is not expected to generate secondary growth or impacts since services at the facility would be adequate to meet the needs of travelers. The project will use existing interchanges with Route 126/9, therefore, will not change local access to the interstates.

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The Town of West Gardiner, and therefore the site, is not presently served by public water or sewer, but connection to these utilities is proposed. The extension of sewer and water services to the project site from the City of Gardiner creates potential attractive opportunities for additional development growth along Route 126/9 by providing important development services to areas presently not served. However, as proposed, the new water and sewer utility lines will be designated for transportation facilities only, and sized to meet the needs of the transportation facilities only. This use control will render the water and sewer non-usable by private or commercial interests, although fire hydrants will be provided along the route and will be available for emergency use by the communities.

The Federal Highway Administration has clearly designated the federal funds for the project to be used for transportation purposes only. The constraint in funding use applies to all aspects, including the new water and sewer line. Therefore, should a non-transportation entity (public, private, commercial) tie into these utilities, the FHWA will require complete reimbursement for their contribution to that cost. The utilities could cost as much as \$2.2 million for both the sewer and water services. Furthermore, in order to have the water line become public, the Town of West Gardiner would have to approve the service, the Gardiner Water District would need to approve the expansion of public service, and the State Legislature would need to approve the expansion of service.

Although the proposed service plaza/rest area site is within a designated growth area, the Town of West Gardiner Comprehensive Plan further establishes the Town's desire to limit development. The town-wide plan designates the area located between the westerly intersection of Route 126 and Old Lewiston Road and the eastern side of the Maine Turnpike for growth. The designated growth area is approximately 0.8 mile in length, and within that area more than one half of the Route 126/9 frontage is existing transportation use (interstate and interchanges), or property that will be used for the proposed service plaza/rest area. Development of properties near the proposed service plaza/rest area is regulated by the Town of West Gardiner.

Based upon the water and sewer utilities having private use designation, and federal reimbursement requirement for the federal share of the utility costs, the project is not likely to lead to or improve the development potential of the nearby setting or induce development in West Gardiner. Therefore, the project will have negligible secondary and cumulative development effects.

**Coastal Zone Management Plan-** Requires all projects located within the designated coastal zone of a state to be consistent with the state's federally approved CZM plan

The project is located outside of the Maine Coastal Zone.

#### **Clean Water Act Section 401 Certification**

As described in the Floodplains/Stream Channel/Waterway/Groundwater Section, the site will be constructed with a comprehensive stormwater management system which will meet the State of Maine

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water standards. Additionally, the Maine Turnpike Authority and Maine Department of Transportation have strict construction requirements for maintaining water quality during construction. The project construction plans will include specifications and details for methods to protect off site water resources, and to comply with Section 401 of the Clean Water Act. The project will obtain Section 401 Water Quality Certification through the Maine DEP permitting process associated with the Natural Resources Protect Act approval.